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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/660,876

09/12/2003

Neal P. Moran

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09/13/2007

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EXAMINER

CHANKONG, DOHM

ART UNIT

PAPER NUMBER

2152

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/660,876

Applicant(s)

MORAN, NEAL P.

Examiner

Dohm Chankong

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 21-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 21-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1> This action is in response to Applicant's amendment, filed 7.6.2007. Claims 1, 4-7, 21, and 23 are amended. Claims 9-20, 25, and 26 are canceled. Claims 1-8 and 21-24 are presented for further examination.

2> This is a final rejection.

Response to Arguments

3> Applicant's arguments with respect to claims 1-8 and 21-24 have been considered but are moot in view of the new ground(s) of rejection. It is noted that Applicant argues that Linderman fails to teach receiving an applet at the client from the server. Applicant argues that the applet is merely sent from a first server to a second server but not directly to a user. This is an inaccurate assessment of Linderman's features.

The portion cited by Applicant discloses that the "applet to drive a user request is *provided to the application source* by a web server on a first side of a firewall AND send to a RWS provided on the second side of the firewall" (emphasis added) [column 10 «lines 2-6»]. It can be reasonably inferred that the client device is an application source [see Figure 1, «items 16, 6» : the web browser is on one side of the firewall, while the RWS is on the other side]. Therefore, Linderman's client device is being provided with an applet contrary to Applicant's arguments.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4> Claims 4, 6, and 9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a. Claim 4 refers to transmitting "the message" from the firewall. Claims 6 and 9 refer to transmitting "the message." However, claim 1 recites two messages: "a simply object access protocol formatted message" and "a message." Therefore, it is unclear to which "message" claims 4, 6, and 9's message is intended to refer;

b. Claim 6 lacks proper antecedent basis: "the node."

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5> Claims 1-4 and 21-24 are rejected under 35 U.S.C. §103(a) as being unpatentable over Linderman, U.S. Patent No. 7,136,913, in view of Makagon et al, U.S. Patent Publication No. 2004/0083482 ["Makagon"].

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6> As to claim 1, Linderman discloses a method of communicating with a server, comprising:

transmitting a request from a client to a web server via a firewall [Figure 1 | column 4 «lines 43-57» | column 9 «lines 58-60»];

receiving a first response from the web server at the client, the response comprising a applet wherein the applet encodes information in extensible markup language and places the encoded information in a simple object access protocol formatted message [column 4 «lines 43-51» | column 6 «line 66» to column 7 «line 5» | column 7 «lines 24-48»];

transmitting a message via the applet and the firewall to a computer telephony integration server using hypertext transfer protocol [column 3 «lines 35-39» | column 7 «lines 24-48»]; and

receiving a second response from the server [column 6 «lines 6-9»].

Linderman does not disclose computer telephony integration. However, it should be noted that Linderman is directed towards an invention that enables the management of any network device [column 1 «lines 18-20»] which suggests that Linderman's invention can be modified to include different types of servers beyond those described within Linderman's specification. Both Linderman and Makagon involve transmission of XML message encoded with the SOAP protocol over HTTP [see Linderman, column 3 «lines 1-3» & Makagon, 0011].

Makagon discloses a remote management system that includes querying information from a CTI server [0010]. It would have been obvious to one of ordinary skill in the art to modify Linderman's system to include Makagon's communication center and CTI servers. One would have been motivated to modify Linderman to include CTI servers and CTI

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applets to increase the functionality of Linderman's system by increasing the number of platforms with which Linderman can be used [see Linderman, column 3 «lines 30-34» : invention not restricted to any given platform].

7> As to claims 2 and 3, Linderman discloses the message is transmitted on a public network or the internet [column 3 «lines 53-57»].

8> As to claim 4, Linderman as modified by Makagon discloses the firewall transmitting the message from the firewall to the CTI server [column 9 «lines 58-60»].

9> As to claim 21, Linderman discloses a computer telephony integration device, comprising:

a communication adaptor to couple to a public network [Figure 1 «items 8, 16»];

a processor coupled to the communication adaptor to perform the method of claim 1 [see rejection of claim 1].

10> As to claim 22, Linderman discloses placing the request in a plurality of packets [column 6 «lines 32-35»].

11> As to claims 23 and 24, as they do not teach or further define over claims 21 and 22, respectively, claims 23 and 24 are rejected for at least the same reasons set forth for claims 21 and 22.

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12> Claims 5-8 are rejected under 35 U.S.C §103(a) as being unpatentable over Linderman and Makagon, in further view of Handel et al, U.S Patent Publication No. 2003|0007624 [“Handel”].

13> As to claim 5, Linderman does not expressly disclose that the firewall confirms the safety of the request. However, it is not only well known but expected in the art for a firewall to have such a security feature. Handel expressly discloses this feature in firewalls [0061 : using authentication and authorization checks]. It would have been obvious to one of ordinary skill in the art to have reasonably inferred that Linderman’s firewall would have confirmed the safety of messages passing through it as this is the normal function of most firewalls.

14> As to claims 6 and 7, Linderman as modified does not expressly disclose transmitting (or not transmitting) the message to the CTI server if the address of the node transmitting the message is in a database of nodes approved to access the CTI server. Handel implicitly discloses this feature; this functionality is implied by Handel’s disclosure that requests from users are subject to authentication and authorization checks. It is well known in the art that authentication and authorization checks consist of confirming whether or not a user is approved to access a certain resource. Therefore, Handel’s disclosure of authentication and authorization implies determining whether the address of a user is approved to access the servers before transmitting the user’s request. It would have been obvious to one of ordinary

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skill in the art to modify Linderman with this security feature so as to enhance the systems ability to authenticate and authorize proper use of the system.

15> As to claim 8, Linderman does not expressly disclose the message is transmitting from the firewall to the CTI server on a private network. Handel discloses this feature [[Figure 1 «items 18, 20» where : the firewall is connected to the CTI servers through the corporate LAN or WAN]. Use of a private network is well known and expected in the art. It would have been obvious to one of ordinary skill in the art to have reasonably inferred the use of a private network within Linderman's network as private networks are well known for providing enhanced security and capability over public networks.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the

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advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dohm Chankong whose telephone number is 571.272.3942. The examiner can normally be reached on Monday-Friday [8:30 AM to 4:30 PM].

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571.272.3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DC


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SUPERVISORY PATENT EXAMINER
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